



ELECTRONIC FRONTIER FOUNDATION
Protecting Rights and Promoting Freedom on the Electronic Frontier

May 12, 2017

The Honorable Rob Bonta
California State Assembly
State Capitol, Room 2148
Sacramento, CA 95814

Re: AB 1479 – SUPPORT

Dear Assemblymember Bonta:

I am writing today on behalf of the Electronic Frontier Foundation, a non-profit organization based in San Francisco that protects civil liberties in the digital world. Founded in 1990, EFF has over 36,000 members, including thousands in California.

EFF regularly employs the California Public Records Act (CPRA) to shake loose government documents on issues related to privacy and free speech. Often these records lead to accountability and institutional policy changes. We also advocate for stronger transparency laws on the federal and state levels. One of the chief concerns with CPRA for open government advocates is the lack of “teeth” in the current law.

A.B 1479 takes an important step toward addressing this impediment to government accountability. The bill would create a financial penalty for government officials who intentionally stymie access to public records, whether by improperly withholding records, assessing outrageous fees, or unreasonably delaying release of records. This enforcement tool would discourage agencies, which know there is little incentive for a requester to bring litigation, from acting in bad faith.

EFF supports AB 1479, but we would like to offer a suggestion to improve the legislation. Currently, the bill does not specify to whom the court would award the civil penalty. We recommend specifying that the fine be paid to the requester who brought the litigation.

Please do not hesitate to contact me to discuss how we may further lend our assistance to passing AB 1479. I may be reached by email at dm@eff.org or by phone at 415-436-9333 ext. 151.

Sincerely,

Dave Maass
Investigative Researcher